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October 23, 2019

VIA ECF & FACSIMILE

Hon. Alvin K. Hellerstein
U.S. District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007
fax: (212) 805-7942

Re: *In the Matter of the Application of Orly Genger*, No. 19-cv-9319 (AKH)
In the Matter of the Petition of Dalia Genger, No. 19-cv-9365 (AKH)

Dear Judge Hellerstein:

We represent the Orly Genger 1993 Trust, through Michael Oldner, Trustee, with respect to the above-referenced matters which were removed from Surrogate's Court in connection with Orly Genger's bankruptcy pending in the Western District of Texas. We write to respectfully request a brief adjournment, to **November 6, 2019**, of our forthcoming opposition to the motions made to transfer both cases to Texas. The reason for the adjournment is that the Bankruptcy Court in Texas will be hearing argument on October 31, 2019 on a motion to dismiss the bankruptcy or, in the alternative, to transfer venue to New York. The moving party **consents** to this adjournment.

The two above-referenced matters were removed from Surrogate's Court on October 8, 2019. In the -9319 case, Ron Satija, the Chapter 7 Trustee, filed a motion (through Kasowitz Benson Torres LLP, as counsel) to transfer to Texas on October 14 (dkt. #3). In the -9365 case, Satija (by Kasowitz Benson) filed a motion to transfer on October 22 (dkt. #6). Accordingly, opposition papers would be due on October 28 and November 5, respectively.

Meanwhile, we understand that the Bankruptcy Court in Texas will be holding a hearing on October 31 on a motion to dismiss the bankruptcy or, in the alternative, to transfer venue to New York. (Bankr. W.D.Tx., No. 19-10926, dkt. #129.) Thus, the motion to transfer may be rendered moot.

Accordingly, in the interest of judicial (and litigant) economy, we respectfully propose that we defer briefing the motion seeking the transfer of these cases to Texas until after the

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bankruptcy court in Texas rules on the transfer to New York. We propose to file our opposition papers, if any, on **November 6** (presuming that the Texas court has decided the issue by then).

Per the Court's individual rules:

No. 19-cv-9319: (i) original date: October 28, 2019; (ii) no previous requests for adjournment; (iii) n/a; (iv) Kasowitz Benson, as counsel for Ron Satija (the moving party), consents to the adjournment; (v) other relevant dates: November 7, 2019 is the date for remand motions.

No. 19-cv-9365: (i) original date: November 5, 2019; (ii) no previous requests for adjournment; (iii) n/a; (iv) Kasowitz Benson, as counsel for Ron Satija (the moving party), consents to the adjournment; (v) other relevant dates: November 7, 2019 is the date for remand motions.

Thank you for Your Honor's consideration in this matter.

Respectfully submitted,

/s/ Adam Pollock

Adam Pollock

cc (via email):

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